PTO/SB/21 (09-04)

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/041,030 Filing Date December 28, 2001 First Named Inventor Powers, Scott Art Unit 3736 Examiner Name Susan Ungar Attorney Docket Number 018781-006810US

	ENCLOSURES (Check all that apply	y)
Fee Transmittal Form	Drawing(s)	After Allowance Communication to TC
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences
Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement with PTO/SB/08A and PTO/SB/08B Certified Copy of Priority Document(s)	Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks The Commissioner is authorication and count 20-1430.	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): Cited References DA-DB; Return Postcard
Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	ATURE OF APPLICANT, ATTORNEY, (OR AGENT
Firm Name Townsend and Town	send and Crew LLP	
Signature Printed name		
Jean M. Lockyer, Ph	.DC	
Date 1-7-05	Reg. No.	44,879
	ERTIFICATE OF TRANSMISSION/MA	ILING
	eing deposited with the United States Postal Services	

envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	and		
Typed or printed name	Anna C. Kundel	Date	1-7-05

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attorney Docket No.: 018781-006810US

Client Ref.: T00-019-1US

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

January

TOWNSEND and TOWNSEND and CREW LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

POWERS, et al.

Application No.: 10/041,030

Filed: December 28, 2001

For: DIAGNOSIS AND TREATMENT OF CANCER USING MAMMALIAN PELLINO POLYPEPTIDES AND

POLYNUCLEOTIDES

Examiner: Susan Ungar

Art Unit: 3736

SUPPLEMENTAL INFORMATION **DISCLOSURE STATEMENT UNDER 37**

CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application. The references were newly cited in the Examination report and were not previously disclosed.

POWERS et al.

Application No.: 10/041,030

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It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that each item of information contained in this Information

Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Jean M. Lockyer, Rh.D. Reg. No. 44,879

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Tel: 415-576-0200 Fax: 415-576-0300

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INFORMATION	DISCLOSURE
STATEMENT B	Y APPLICANT

(use as many sheets as necessary)

Sheet

Complete if Known				
Application Number	10/041,030			
Filing Date	December 28, 2001			
First Named Inventor	POWERS, et al.			
Art Unit	3736			
Examiner Name	Susan Ungar			
Attorney Docket Number	018781-006810US			

	U.S. PATENT DOCUMENTS+					
		Document Number				
Examiner Initials*	Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
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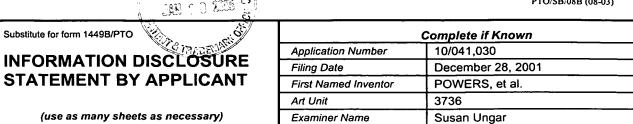
	FOREIGN PATENT DOCUMENTS							
5		For	Foreign Patent Document			Name of Patentee or	Pages, Columns, Lines,	
Examiner Initials*	Cite No. ¹	Country Code ³	Number ⁴	Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional).
Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04.
Enter Office that issued the document, by the two-letter code (WPO Standard ST.3).
For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.
Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.
Applicant is to place a check mark here if English language Translation is attached.

018781-006810US



Attorney Docket Number

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2
muais	DB	SAMBROOK, J., et al., "Expression of Proteins from Cloned Genes," pp. 16.3-16.4, "Introduction of Recombinant Vectors into Mammalian Cells," P. 16.30, Molecular Cloning: A Laboratory Manual, Second Edition, 1989, Cold Spring Harbor Laboratory Press.	
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Signature	Considered	

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2

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